App F IX-4

1941.

File No. 22 — 41

Previous References.

ME 19 — 40 (58 60)

Serial Nos. 29 30

Later References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. two

Part B for January 1942

SUBJECT.

Excess charges amounting to Rs 171-10-8 incurred by the Bangalore City Municipality for the acquisition of Door Nos 11 and 12 of Bale Srinivasa Rao Road, III Division, Bangalore City

To The Municipal Commissioner, Bangalore City, thro' the President Comptroller

L 5722 — 3 dy 6-1-42

Sanctions the ——

BM 5/1/42

General and Revenue Secretariat — ml — File No 3374/L of 1941/42 — [App F III—2

Serial No

"S"

From the ml Commr. Bcgf.
No LA-C 42/40-41 dt 6-12-41
Requests sanction to the payment of an excess amount of Rs 171-10-8 in connection with the acquisition of door No 11 & 12 of Beck Srinivasa Row Road, III Down Bcgf
In Govt No L 3948-9/ml 19-40-59 dt 20-11-41 sanction was accorded to the acqn of the property in question at a cost of Rs 1745/-
It is reported that, while passing the award, the Land Acqn officer has actually awarded Rs 1916-10-8 as compensation
As the auditors have taken objection to the excess payment without the sanction of Govt, sanction is requested to the same by the ml Commr
Noted with draft Govt for appl

Law Secy 17/12
18/12

Law Secy) from 18/12/41
May be approved
Minister (L S G) Hm 19 12 41

from Secy L S G 31 12 41

Govt No L 5722-23/ml 22-41-3 dt 6/1/1942 sanctions the payment Hm 2/1/42
to the Board through the Board

SECY LAW DEPT 13 DEC 1941 GOVT OF MYSORE

OFFICE OF THE MINISTER FOR L S G & P H Dt 19-12-41 No 3702

NOTE—Continue Sheet

D 041b5—G1 B— (10)

2/1/42

File No.	of 194	General and Revenue Secretariat	
		Serial No.	

BANGALORE CITY MUNICIPALITY

3321

No L.A.C. 42/40-41.

Encl: Copy of resolution.
2 Copies of award

MUNICIPAL OFFICES.

Bangalore 6th December 1941

Rl 22-Apl-29.

From

ABDUL AZIZ KHAN, ESQ., B.A.,
MUNICIPAL COMMISSIONER,
BANGALORE CITY

To

H.V. Narayana Rao, Esq., B.A., LL.B.,
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
LAW DEPARTMENT, BANGALORE.

SIR,

With reference to Government Order No. 3948-9/Ml. 19-40-59 dated 20th November 1940, sanctioning the acquisition of door No. 11 and 12 of Beli Srinivasa Rao road, III Division, Bangalore City, I have the honour to state that an award was passed for Rs. 1,916-10-8 on the rental basis for the reasons noted in the award. A copy of the award is herein enclosed for reference. Further, the Municipal Council in their meeting held on 25th October 1941 have also sanctioned the excess amount of -- Rs. 171-10-8 awarded in the above case.

When the award bill was presented in audit, the Local -- Auditor has raised the following objection -

> "To sanction an excess award of Rs. 171-10-8 in L.A.C. 42/40 over the amount of Rs- 1,745/- sanctioned by Government for acquisition in the first instance, the competent authority is Government. Hence, whether the requisite sanction has been obtained, may kindly be caused to be intimated."
>
> Sd C.R. Vasudeva Rao,
> 1/11/'41.

In these circumstances, I request that sanction of Government may be kindly obtained to the resolution of the Municipal Council, approving the excess amount of Rs. 171-10-8 awarded in the above case (L.A.C. 42/40-41). A copy of the resolution is also enclosed for kind reference.

I have the honour to be,
Sir,
Your most obedient servant,

Land Acquisition Officer &
Municipal Commissioner.

kas/

Minutes of the Proceedings of the Ordinary General Meeting of the City Municipal Council, Bangalore, held on Saturday the 25th October 1941 at 3 P.M. in the Council Chamber of the City Municipal Offices, Bangalore.

—:oOo:—

Present

W.H. Hanumanthappa, Esq.,
Honorary President.

Messrs.
1. V.K. Govindarajulu, B.A., B.L.
3. R. Subbanna
4. Ramlal Dhirani
5. J.S. Patu, M.A. (Cons.), B.L.
6. V. Venkataramanappa
7. G. Nanjappa
8. K. Hanumanthiah, B.A., LL.B.
9. T. Gangadharaswamy
10. P. Narasimhiah
11. V. Venkataswami Chetty
12. K. Ganga Setty
13. K.N. Ramaswami, B.A.
14. K. Shamarajaiengar, B.A.
15. C.N. Narasinga Rao, B.A., B.L.
16. H.R. Guruv Reddy, B.A., LL.B.
17. M.A. Gopalaswami Iyengar, M.A., B.L.
18. M.K. Narayana Iyengar, B.A., B.L.
19. H.C. Suryanarayana Rao
20. O.S. Nasarulla Sheriff, M.A., LL.B.
21. A.J. Khaleel, B.A., B.L.
22. M. Royan, M.L.
23. V. Chikkayellappa

Absent

Messrs.
1. A. Madhava Iyengar, B.A.
2. M.R. Honnappa, B.A., B.L.
3. B. Subbiah, B.Sc., LL.B.
4. Kota Ramakrishnaiah Setty
5. Mirza M. Azeezulla Beig
6. S.A.M. Razvi

—:o:)o.—

srs.

PROCEEDINGS OF THE MEETING OF THE MUNICIPAL COUNCIL

DATED 25/10/1941.

-0-

Subject No. 9.-

To sanction an excess award of Rs. 171-10-8 in L.A.C. 42/40 (the estimate sanctioned by Government is for Rs. 1,745/- and the actual award is Rs. 1,916-10-8).

Resolution -

Sanctioned.

SD. W.H. HANUMANTHAPPA,
Honorary President.

"Copy"

Municipal Commissioner.

kas/

L A C 42/40-41

AWARD UNDER SECTION II OF THE LAND ACQUISITION ACT

=o=

Re the acquisition of door No 11 & 12 in Bela Srinivasa Rao Cross road, III Division, Bangalore City, declared under -- Notification No L 3948/M1 19-40-39 dated 20th November 1940 for the construction of a fish and poultry stalls

1 The extent of the land notified for acquisition is as follows -

Mud roofed building = 687 sq ft
one disused well
Land area = 1,458 sq ft or 162 sq yds

2 Preliminary notice under Sections 9 & 10 of Land Acquisition Act was served on the notified persons, Messrs S Ramasastry and S Lakshmana Sastry on 29th January 1941 and they have filed a written statement on 18th February 1941 Their statements were recorded on 26th May 1941

3 I inspected the property on 28th July 1941 It is only a dilapidated house situated behind the Mutton Market Hitherto it was accessible by means of a small lane The Municipality is just now opening up the locality by means of a road The party states that he is getting a rent of Rs 25/- per month He has not produced the lease deed in support of his statement Madar sab who says that he has been paying the above rent has not -- produced the receipts to show the amount of rent paid by him Moreover, taking the condition of some of the inmates into consideration and the dilapidated condition of the house, it is impossible to believe that Madar Sab and Khasim Sab are capable of paying such a high rent Under no circumstances can the property situated in a lane as it is, can fetch the fabulous price of -- Rs 3,500/- Further, his demand for the land at s 80/- per square yard is equally unreasonable

I think, the most equitable way of assessing the worth of this property is to be guided by the rental value This -- property has been taxed on a rental value of Rs 100/- per annum Hence, I award a sum of Rs 16 2/3 x 100 together with the -- statutory addition of 15% thereon This sum amounting to -- * Rs 1,916-10-8 will be paid to Lakshman Sastry and S Ramasastry jointly, after deducting the municipal taxes due, if any

Award and surrender notices will issue to the party and the Municipal Engineer will take possession of the property

*(Rs One thousand nine hundred and sixteen, annas ten and pies eight only)

Sd A A Khan,
Municipal Commissioner &
Land Acquisition Officer,
Bangalore City
30/7/1941

======

"Copy"

Municipal Commissioner

kas/

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Read —

Government Order No.L.3948-9/Ml. 19-40-59 dated 20th November 1940 sanctioning the acquisition of door Nos.11 and 12 of Beli Srinivasa Rao Road, III Division, Bangalore City, required for the construction of fish and poultry stalls, etc. at a cost of Rs.1,745/-.

2. Letter No.L A.C.42/40-41 dated 6th December 1941 from the Municipal Commissioner, Bangalore City Municipality stating that the Land Acquisition Officer passed an award for Rs.1,916-10-8 as against the sanctioned amount of Rs.1,745/- for the acquisition of the properties referred to in the Government Order read above and requesting sanction under cover of a resolution of the Bangalore City Municipal Council to the payment of an excess of Rs 171-10-8 over the said sanctioned amount, as the auditors have objected to the excess payment without the sanction of Government.

Order No. L 5722-23/M 22-41-30

Dated, Bangalore the 6th January 1942.

S A N C T I O N E D

(Draft) for Secretary to Government,
Law Department.

To

The Municipal Commissioner, Bangalore City through the President, Municipal Council.

The Comptroller to the Government of Mysore.

Aga/5.

G R. S App. F VI—G 2]

SUBJECT

3

Diary No of letter replied to

General and Revenue Secretariat

( )

the *193*

Date of issue 6th January 1941

"S"

Signed by Mr. G. Ramachandra Rao.

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette Kannada Part ?

Section Rl

File No 22-41

Serial No 30

Proceedings of the Government of His Highness the Maharaja of Mysore

Read—

Go no L 3948-9/Rl 19-40-59 Dy 20-11-41 sanctioning the acquisition of door Nos 11 & 1 of Beh Srinivasa Rao Road, III Division, Bangalore city, required for the construction fish and poultry stalls etc, at a cost of Rs 1745/-

~~Order thereon—Nil~~

2 Letter no L A C 42/40-41 (From the Rl Commr Blore City Rlwys) Dy 6-12-1941 stating that the Land Acqn officer passed an award for Rs 1916-10-8 as against the sanctioned amount of Rs 1745 for the acquisition of the properties and

on the ~~ffgo~~ noted above and under Govt of a Resolution of the Pol Council requesting sanction to the payment of an excess of Rs 171-10-8 over the said sanctioned amount, ~~of Rs~~ as the auditors have objected to the excess payment without the sanction of Govt

Order no 1572-23

Sanctioned - - -

Hm 19/12/41

for Secy to Govt.

Ms Law dept 17/12

To the ml Comm, Bcij ~~Hyd~~ ~~Dda~~

The comptroller

Gs 19/12

List of Enclosures Nil

Copied by

Examined by

WD 0279—GPB—22 500—14 4 38